

REMARKS

Reconsideration of the present application as amended is respectfully requested.

In the office action, claims 1-6, 8-13, 15-16, 18-24 and 26 -58 were pending and rejected. In this response, no claim has been canceled. Claims 1, 10, 16, 19, 32, 41, 47, 50, and 58 have been amended. No new matter has been added.

Claim 58 was objected to because of informalities. In view of the foregoing amendments, it is respectfully submitted that the objection has been overcome.

Claims 1-6, 8-13, 15-16, 18-24 and 26-58 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,392,671 to Glaser ("Glaser"). In view of the foregoing amendments, it is respectfully submitted that claims 1-6, 8-13, 15-16, 18-24 and 26-58 as amended include limitations that are not disclosed by Glaser.

Specifically, for example, independent claim 1 includes limitations of retrieving a data value representing an appearance of an enclosure enclosing a data processing system including a microprocessor of the system, where the data value includes a value representing at least one of a machine type and a color of the enclosure of the data processing system. Thereafter, an appearance of a display of the data processing system is determined based on the appearance of the enclosure of the data processing system using the data value.

That is, an appearance of a display of a computer (e.g., desktop scheme) may be determined based on a data value representing an appearance of an enclosure (e.g., chassis) of the computer including the microprocessor (e.g., CPU) of the computer. The data value also indicates the machine type and/or color of the enclosure of the computer including enclosing a microprocessor of the computer. It is respectfully submitted that the above limitations are absent from Glaser.

Rather, Glaser discloses selecting a desktop scheme of a computer based on a type of a pointing device (e.g., mouse) plugged into the computer, such as mechanical and/or electrical features of the pointing device, rather than an enclosure (e.g., chassis) of the computer.

Specifically, Glaser states:

“Further in accordance with the present invention, mouse 30 includes identification means 35, which can be, for example, a semiconductor memory, DIP switch package, or a hardwired structure. Identification means 35 carries a unique identifier sufficient to identify to a computer system each unique individual mouse 30 that is connected to the microprocessor unit 1.”

(Glaser, col. 5, lines 27-37, emphasis added)

Thus, the desktop scheme of Glaser is determined based on a type of the mouse, where the mouse includes an identification means which is implemented in a mechanical and/or electrical manner (e.g., hardwired structure) as described above. It is respectfully submitted that the desktop scheme of Glaser is not based on an enclosure of the mouse and definitely not based on an enclosure enclosing the computer, including its microprocessor (e.g., CPU). There is no suggestion for such purposes within Glaser.

Although in the Office Action, the Examiner may be correct that the mouse is considered as part of a computer; however, as discussed above, one with ordinary skill in the art would not consider that a mouse of a computer includes a microprocessor (e.g., CPU) of the computer system. In addition, one with ordinary skill in art would not consider an enclosure of a mouse of a computer system would enclose a microprocessor (e.g., CPU) of the computer system. Furthermore, as discussed above, Glaser’s desktop scheme was not determined based on an enclosure of a mouse, certainly not an enclosure of a computer system having a microprocessor (e.g., CPU).

In order to anticipate a claim, each and every limitations of the claim must be taught by the cited reference. It is respectfully submitted that Glaser fails to disclose each and every one of

the limitations set forth above. Therefore, it is respectfully submitted that claim 1 is not anticipated by Glaser.

Similarly, independent claims 10, 16, 32, 41, 47, 50, and 58 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 10, 16, 32, 41, 47, 50, and 58 are not anticipated by Glaser.

Given that the rest of the claims depend from one of the above independent claims, for the reasons similar to those discussed above, it is respectfully submitted that the rest of the claims are not anticipated by Glaser. Withdrawal of the rejections is respectfully requested.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: June 29, 2006



Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300